

**MINUTES OF THE REGULAR MEETING  
COMMON COUNCIL OF THE CITY OF HOBART  
LAKE COUNTY, INDIANA  
February 1, 2023**

**Call to Order:** Mayor Snedecor called the meeting to order at 6:01 p.m. followed by the Pledge of Allegiance, and moment of silence. The meeting was held with the building open to the public and a call-in number for remote public participation.

**Roll Call:** The following members were present in person: Mr. Kopil, Mr. Huddlestun, Mr. Brooks, Mr. Vinzant, Mr. Wells, Mr. Claussen and Mr. Waldrop. Also present: Clerk-Treasurer Longer and City Attorney McCarthy.

**Reading of the Minutes:** Motion by Mr. Kopil, seconded by Mr. Wells, to approve the minutes of the Regular Meeting of January 18, 2023 and the Memorandum of Executive Session of January 18, 2023 as presented. All aye, motion carried. (7-0)

**Correspondence:** Mr. Snedecor introduced Pastor Dale Combs, Jubilee Worship Center and Hobart Police Chaplain. Pastor Combs has agreed to serve as the City’s Representative to the Shared Ethics Advisory Committee. Pastor Combs stated he is looking forward to the opportunity to serve on behalf of the City.

**Recognition:** Mayor Snedecor and the Council recognized the following:  
Virginia Curtis Memorial Award for leadership in not-for-profit organizations for the benefit of the citizens of Hobart: Presented to Pam Patterson for her involvement in Tri-Kappa, the Hobart Food Pantry and a variety of community service projects.  
Tony Wirtz Memorial Award for the spirit of service and dedication to community service: Presented to Sandy O’Brien for her environmental stewardship for the City.  
Rachel Rodriguez Memorial Award for dedication to children of Hobart: Presented to Pam Broadway for her efforts in securing LED Lighted Stop Signs for the Crossing Guards to better protect the children of Hobart.

**Committee Reports:** There were no Committee reports.

**Department Reports:** Mr. Wells requested a work session regarding updates on the Cressmoor Estates subdivision issues. Attorney McCarthy noted the IDEM report is due at the end of the week and Mr. Snedecor noted that we will coordinate a work session with the City Engineer when the information is available.

Mr. Kopil requested Public Works to continue to educate the public about extra pickups. Public Works Superintendent Kelly Smith stated she had two crews out today tagging piles of leaf bags or extra pickup items left on the streets and leaving instructions as to who to contact for pickups.

Mr. Wells asked the Fire Chief about the status of the Fees for Fire Inspections previously discussed by the Council. Attorney McCarthy suggested an Ordinance Committee meeting to discuss. Mr. Huddlestun called an Ordinance Committee meeting for Wednesday, February 15, 2023 at 5:00PM in the Council Chambers. Chief Smith thanked the Moose Lodge for helping to sponsor the Fire Dept. CPR Training for the public.

MRC Director Aimee Schallenkamp thanked Mr. & Mrs. Modrak for their generous donation to the MRC for some needed upgrades including: flooring, carpet, kitchen sink, and exercise equipment. These upgrades will be installed beginning next week.

Parks Director Kelly Goodpaster stated the mobilization for the bathroom addition will be taking place soon and there is some activity near the Community Center as the Sanitary Sewer line project has begun. The sewer project will involve direct boring underground as much as possible to limit the impact on the park and parking areas.

**Approval of Agenda:** Motion by Mr. Vinzant, seconded by Mr. Huddleston, to approve the agenda as presented. All aye, motion carried. (7-0)

#### **Unfinished Business:**

**Tabled: Ordinance 2022-44: (2<sup>nd</sup> Reading)** An Ordinance Providing that the Zoning Ordinance of the City of Hobart, Lake County, Indiana, be Amended by Changing an Established Silverstone Crossings PUD Zone to Patriot Park PUD Zone Classification: E of Mississippi St., S of 73<sup>rd</sup> Ave., W of Colorado St., N of US 30; 183.3 acres: Al Krygier and Dave Lasco; Jeff Ban, DVG Team Inc.: Motion by Mr. Claussen, seconded by Mr. Wells, to remove this item from the table. All aye, motion carried. (7-0)

The Ordinance was read. Motion by Mr. Kopil, seconded by Mr. Vinzant, to deny the recommendation from the Plan Commission regarding Ordinance 2022-44. Discussion followed: Mr. Kopil noted that there are some differences between the Silverstone Crossings Development and this proposal as to the findings of fact: the amount of industrial property proposed is 777,000 sq. ft. as opposed to the original 300,000 from the Silverstone project; the buffering of the residential areas against the industrial areas is not sufficient; and the Iowa St. access point is a source of concern for many residents in the area. Mr. Claussen asked City Planner Ross Piertzak for any additional comments as to the differences between the Silverstone PUD and the proposed Patriot Park PUD. Mr. Piertzak stated he compared the two developments as "B" in their proposed Findings of Fact state that the Comprehensive Plan will be not be disrupted even though this is a change from the previously approved use, they stated they believed it is still in keeping with the Comprehensive Plan. Mr. Piertzak stated he found differences in that the proposed plan more than doubles in size the area to be developed as industrial; the residential components were not easy to compare as the number of units is clearly stated on the Silverstone PUD but there are no number of units on the current proposal other than 69 cottage homes, leaving out the specific units for the apartments and the senior living facilities; the future commercial use areas is unclear on the current proposal: in Silverstone the mixture was 51% vs. 49% of industrial as compared to non-industrial commercial uses and in the current proposal the sq. footage of the actual buildings is now 84% vs. 16% although there is an option for retail to be included within the industrial areas but based on the sq. footage, this is the potential differential based on the building usage possibilities. The condo areas in the Silverstone project has been removed and the senior living areas and cottage homes are now closer to the industrial areas and while there was limited retail use on the Silverstone project, the use of the condo/retail area allowed for some retail in the prior proposal and is eliminated in the current project. He stated it was noted in the Plan Commission discussions that the apartment units may be reworked to include some retail on the lower levels.

Jeff Ban, DVG Team, and Al Krygier, developer, stated that multiple discussions have taken place over the years with different types of uses. Mr. Ban stated that a different developer had originally brought the Silverstone development to the City and the current developers acquired the property through the bankruptcy court and upon the death of the prior developer. Included in discussions over time was a sports complex and a variety of other uses, based on what the market would indicate, the goals of the City and the marketability of the area which has brought us to this land use plan with specific site plans to be discussed further with the Plan Commission and the City. Mr. Ban noted that Iowa St. was included at the request of the Engineering Dept. for the connectivity to US 30 and the industrial uses includes a mix of small retail, office warehouse and light industrial uses. Mr. Krygier stated he has letters of interest/intent with a variety of people involving approximately 60% of the land but cannot move forward on them without the zoning being approved. Mr. Ban stated they have been having a difficult time to get potential developers to buy-in to the current PUD that was approved 15+ years ago as the market has changed over the years.

Mr. Huddlestun asked about the intent of a traffic light on Mississippi St. Mr. Ban stated that as a zoning matter, this has not yet been addressed but as a subdivision and site-plan matter, this will be addressed. Mr. Huddlestun noted the traffic patterns become a safety factor that need to be considered. Mr. Waldrop discussed the buffering issues between the homes and industrial areas. Mr. Ban noted that in accordance with the City's Standards, a Type 3 buffering will be installed and the area is office only.

Mr. Piertzak noted that several comments have been indicating or implying support from staff on this project and that the Planning Department does not endorse or support any project specifically, his role is to review the project in accordance with the current zoning laws and regulations of the City.

There being no additional discussion, Mr. Snedecor called for the question on the motion to deny Ordinance 2023-44. Roll Call Vote taken. All aye, motion to deny carried. (7-0)

**Tabled: Settlement Agreement with Lake County re: Southlake Mall refund issue:** Motion by Mr. Vinzant, seconded by Mr. Wells to remove this item from the table. All aye, motion carried. (7-0) City Attorney McCarthy stated this is the final settlement agreement and upon agreement, it will result in the dismissal of litigation against the County. She noted there was a great deal of discussion to get to this point and while it is not ideal, it is the best that we can expect with this situation. Lake County has executed it, Merrillville School District will consider it next week at their meeting. Mr. Vinzant stated his disappointment that the County was not working with the City and the Schools as a "team", resulting in the lawsuit. Motion by Mr. Vinzant, seconded by Mr. Brooks, to agree and execute the Settlement Agreement as presented. Roll Call Vote taken. All aye, motion carried. (7-0)

**Tabled: Resolution 2023-02: A Resolution Designating a Certain Area within the City as an Economic Revitalization Area for purposes of Real Property Tax Abatement: re: 8300 Clay St., Jeffrey Eriks, Clay Street DevCo, LLC:** Motion by Mr. Claussen, seconded by Mr. Huddlestun, to remove this item from the table. All aye, motion carried. (7-0)

The Resolution was read. Attorney Mark Anderson was present representing Clay Street DevCo, LLC and thanked the Council for considering the last-minute revisions distributed at the previous Council meeting. Motion by Mr. Huddlestun, seconded by Mr. Claussen, to approve Resolution 2023-02 as presented. Discussion followed regarding the use of tax abatement as an economic development tool. Mr. Kopil noted the number of potential jobs for both the construction and long term use was good for the City. Mr. Vinzant stated the abatement tool is used get something extra in a development whether it be number of jobs or higher quality construction standards and on this particular "troubled" piece of property due to the sewer and water issues and the access to the property itself. He noted the expectation is that the developer would use local contractors and local labor in every possible way during the development of this project. Mr. Wells noted he was appreciative of the additional work the developers put in on this project to make the numbers work. There being no further discussion, Mr. Snedecor called for a roll call vote: 6 Aye: Kopil, Huddlestun, Brooks, Vinzant, Wells, Claussen / 1 Nay: Waldrop. Motion carried. (6-1)

**Public Hearing: Ordinance 2023-02: (2<sup>nd</sup> Reading) An Ordinance Re-Establishing the Cumulative Capital Development Fund for the City of Hobart, Lake County, Indiana under Indiana Code 36-9-15.5:** The Ordinance was read. The Public Hearing was opened and closed with no comments being offered by the public. Motion by Mr. Claussen, seconded by Mr. Brooks, to adopt Ordinance 2023-02 as presented. Roll Call Vote taken. All aye, motion carried. (7-0) Clerk-Treasurer Longer stated a Notice of Adoption will be published in the paper next week and taxpayers have a 30-day remonstrance period to file a petition with the Lake County Auditor regarding this action. Once the remonstrance period ends, the information will be provided to the DLGF for additional action and final approvals.

**New Business:**

**Ordinance 2023-03:** An Ordinance Providing that the Zoning Ordinance of the City of Hobart, Lake County, Indiana be Amended by Changing an Established PUD Zone to a new PUD Zone Classification: NW corner of Grand Blvd & US 30, 23.4 acres: Ali Karolczak, Redwood USA; Jeff Ban, DVG Team Inc.: The developers representatives were present. The Ordinance was read. Mr. Snedecor stated the Plan Commission issued a favorable recommendation with conditions. City Planner Ross Piertzak stated all of the conditions have been met with the site plan for this project. Mr. Vinzant stated the Plan Commission reviewed this proposal in detail before recommending approval. Motion by Mr. Kopil, seconded by Mr. Vinzant, to pass Ordinance 2023-03 on first reading. Roll Call Vote taken. All aye, motion carried. (7-0)

**Ordinance 2023-04:** An Ordinance Vacating an Unimproved Platted Alley within the City of Hobart, Lake County, Indiana: 625' x 10' platted alley, S of 13<sup>th</sup> St., N of 14<sup>th</sup> St., E of Fleming St., zoned R-2, 0.144 acres: South Side Addition, Grant & Susan Liechty: The developers were not present. City Planner Ross Piertzak stated the alleyway is not improved but is used for utilities and will be converted to a utility easement if vacated. Motion by Mr. Vinzant, seconded by Mr. Brooks to set this for Public Hearing on March 1, 2023 at 6:00PM in the Council Chambers. All aye, motion carried. (7-0)

**Announcements:** Chamber of Commerce Executive Director Jay Harrigan stated the Chamber has a lot of activities planned including a Breakfast Meeting on Feb. 21<sup>st</sup>; a Luncheon with Sheriff Oscar Martinez as the keynote speaker on Feb. 22<sup>nd</sup>; and a Business Expo/Career Fair on March 3<sup>rd</sup> at the Avalon. He also stated the Chamber is working on putting together a Candidate Forum/Mayoral Debate sometime in April. It was noted that the Lions Club Pork Chop dinner is Feb. 5<sup>th</sup> and the Kiwanis Chili dinner the 9<sup>th</sup>. Mr. Kopil stated the Moose Lodge is holding a Sunday Soup & Salad luncheon from noon-4PM and the public is invited.

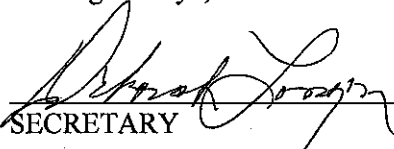
Tim McGuire, a resident of Cressmoor Estates, requested an update. Mayor Snedecor stated the Board of Works accepted the roads earlier today and will now be responsible for clearing them and we are expecting a report from IDEM on Friday regarding the pond. Mr. Wells will be keeping the residents informed as to when a work session is being scheduled.

Christina Domnanovich, the purchaser of lot 103 in Cressmoor Estates questioned the stop work order placed on her home under construction. City Engineer Phil Gralik stated the utilities can connect but the driveway and sidewalk cannot be installed until the pond issues are dealt with due to the additional run-off caused by the added pavement.

Joe Conn stated he would like to present some information to the Council about the NWIndiana Medicare For All initiative. Mr. Huddlestun agreed that this could be done at the Ordinance Committee meeting on the 15<sup>th</sup>. Mr. Conn also asked that each candidate running for public office sign a pledge to not wage a personal campaign but only one based on the issues.

Mr. Snedecor recognized Helen Brooks, Councilman Brook's mother, who was present at the meeting, is 96 years old and still very active in the MRC and various activities.

**Adjournment:** Motion by Mr. Vinzant, seconded by Mr. Wells and Mr. Claussen, to adjourn the meeting. All aye, motion carried. (7-0) The meeting adjourned at 7:33 p.m.

  
SECRETARY

  
PRESIDING OFFICER